

California Department of Transportation
Interim Policy for Buildings Constructed in 1957 or later – Amended June 14, 2002

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To: [California Department of Transportation District & HQ Cultural Resources Staff]

cc: Gary Winters/HQ/Caltrans, Hans Kreutzberg/OHP/Parks

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Subj: Interim Policy for Buildings Constructed in 1957 or later

Attached below is an amended copy of the interim policy agreement that Caltrans Division of Environmental Analysis developed last year with the California SHPO on the treatment of recent buildings. The interim policy was due to expire June 30, 2002 but by mutual agreement of Caltrans and California SHPO it will now remain in effect until either of our agencies independently or by mutual agreement choose to terminate the policy. There have been no other changes made to the interim policy. I am including a bit of discussion on the use of the interim policy (most of which was included in the email accompanying the original issuance of the interim policy).

Caltrans staff who meet the Secretary of Interior Standards for architectural history are authorized to exclude from study buildings that were constructed in 1957 or later, or appear because of alterations to have been constructed in 1957 or later.

The interim policy:

- stays in effect until which time either Caltrans or the SHPO terminates the policy, or the policy is terminated by agreement of both parties.
- replaces the expired Post-1945 Building MOU [and as it was amended] for treating buildings from the recent past.
- **applies only to buildings.**
- assumes a good faith effort will be made by qualified staff to identify and evaluate any contemporary buildings with "exceptional" significance under the National Register criteria
- **is only applicable for Caltrans staff meeting the Secretary of Interior Standards for architectural history (attached policy defines the professional standards). Consultants working for Caltrans, or whose work is being reviewed by Caltrans, may take advantage of the interim policy pending the review and approval by qualified Caltrans architectural historians.**

If you are not certain whether you or your staff meets the qualification standards, you may send a request with supporting materials to Margaret Buss, Chief, History, Architecture and Community Studies Branch with the Cultural and Community Studies Office for review. Her telephone number is CALNET 453-0255 (916/653).

And while the interim policy requires no addresses or mapping be submitted for buildings constructed in 1957 or later, this is not prescriptive and the District/Region may well want to keep such documentation in the environmental/cultural resources project files. **If qualified staff is not certain of a particular building's age, then it is expected that whatever background research might be necessary to establish the date of construction will be deployed.** We do not want whatsoever to jeopardize our long-term credibility with the SHPO.

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All buildings built prior to 1957 -- even those which have been moved or have been substantially altered -- are to be documented on a standard BSO evaluation form. We would expect that in most cases, however, minimal documentation would be necessary for moved or substantially altered buildings because of their compromised integrity.

The interim policy allows us increased efficiencies in our historic resources studies without compromising any potentially eligible properties.

If you have any questions on implementing this interim policy, please contact me at CALNET 453-0647 or by e-mail, or your respective HQ Section 106 Coordinator, Anmarie Medin or Jill Hupp. Thank you.

Greg King, Chief
Cultural and Community Studies Office
Division of Environmental Analysis

**Caltrans Interim Policy
for the
Treatment of Buildings Constructed in 1957 or Later**

All Caltrans staff who meet the Secretary of the Interior's Professional Qualifications Standards for architectural history are authorized to exclude from study buildings that were constructed in 1957 or later in time, or that appear because of alterations to have been constructed in 1957 or later.

Background

With the tremendous building boom of the last four decades in California, the number of contemporary buildings encountered in areas for proposed transportation projects is approaching unmanageable levels. Currently, a Programmatic Agreement (PA) for compliance with Section 106 of the National Historic Preservation Act is being developed among the Federal Highway Administration (FHWA), Caltrans, the Advisory Council on Historic Preservation (ACHP) and the California State Historic Preservation Officer (SHPO). The proposed agreement would allow Caltrans staff to concentrate efforts on resources that could be significant, rather than giving equal treatment to resources that lack potential for eligibility for the National Register of Historic Places.

In the interim, pending execution of the PA, Caltrans Division of Environmental Analysis has consulted with the State Historic Preservation Officer on the possibility of implementing an internal policy to allow flexibility in the level of effort expended by qualified architectural historians to identify buildings dating from the recent past for actions undertaken by the Department in conjunction with FHWA. Based on this consultation, the State Historic Preservation Officer and Caltrans agree that the approach delineated below, when applied by duly qualified Caltrans architectural historians, represents a legally sound and reasonable and good faith effort to identify under Section 106 and 36 CFR Part 800 buildings constructed before 1957 [cf., 36 CFR 800.4(b)(1)] that may be historic properties.

Secretary of Interior Professional Qualifications for Architectural Historians

"The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:

At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or

Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history."¹

Implementing the Interim Policy

To implement this interim policy, qualified architectural history staff will review project Study Areas or Areas of Potential Effect (APE) through windshield surveys or through such means as photographs or maps, supplemented by other documentation if necessary, to

- (1) identify buildings that appear to date from 1957 or later, which can be treated under this interim policy, or
- (2) demonstrate the absence of any buildings constructed before 1957 that might require further study.

¹ *Secretary of the Interior's Professional Qualifications Standards, (Federal Register 48: 190, September 29, 1983, p. 44739)*

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After this identification process, no further effort will be required beyond making a statement of findings. Buildings treated under this policy will not require individual documentation, descriptions, listing of addresses, or mapping. Presence of these buildings within a project area will not elevate environmental documentation beyond the level otherwise required.

Enacting this interim policy will immediately reduce the overwhelming volume of contemporary buildings that under existing Caltrans policy have needed at least a minimum level of documentation. It authorizes all Caltrans architectural historians who meet the Secretary of Interior Professional Qualification Standards to treat recent buildings programmatically. By substantially reducing the total number of buildings requiring documentation, it will shorten the survey and document preparation time for Caltrans and streamline the review process for FHWA and SHPO. Completed evaluation forms are required for buildings that were constructed in 1956 and before.

Excluding these recent buildings from study will remove from consideration a very large number of properties that can be easily recognized by all qualified architectural history staff and that are highly unlikely to possess any significance under the National Register criteria. Qualified staff will still retain the authority and the responsibility to exercise professional judgment to conduct further study on any recent buildings that appear to have the potential to possess exceptional significance or may contribute to a potential historic district or historic landscape. Please note: This interim policy applies to buildings and building complexes only and does not extend to any other property types that might otherwise require study.

Staff will document their application of this policy to a project area (Area of Potential Effect or Study Area) in a statement of findings that will be incorporated in pertinent environmental documents. The statement must indicate whether this policy has been applied to all buildings in the project area (APE/Study Area) i.e., when no buildings in the project area (APE/Study Area) pre-date 1957, or whether it applies only to some buildings (i.e., when there are other buildings in the APE/Study Area that were constructed prior to 1957).

The statement of findings, per example below, must include the qualified architectural historian's name and specify the extent of the application. The following wording is suggested:

“ [name of Caltrans staff], who meets the Secretary of the Interior’s Professional Qualifications Standards as an architectural historian, has reviewed the project’s [Area of Potential Effects (APE)/Study Area] and confirmed that [no buildings/no other buildings] within the [APE/Study Area] appear to predate 1957 or appear to require further study.”

This interim policy will remain in effect until either the California SHPO or the California Department of Transportation terminates the policy, or the policy is terminated by agreement of both parties.